

State of Minnesota
Waseca County

District Court
Third District
Case No. _____
Civil Action

Lisa A. Biron,
Plaintiff

v.

Kathleen Hawk Sawyer, Director
Federal Bureau of Prisons; Warden
Nanette Barnes; Deanna Hiller, Unit
Manager

COMPLAINT

I. Plaintiff

1. The Plaintiff, Lisa A. Biron, brings the within claims to redress the deprivation, under color of federal law, of rights secured by the United States Constitution. She seeks declaratory and injunctive relief.
2. Ms. Biron is a federal inmate currently confined in the Federal Bureau of Prisons ("FBOP"), and presently housed at Federal Correctional Institution ("FCI"), Waseca, Minnesota.

II. Defendants

3. Defendant Kathleen Hawk Sawyer is the Director of the Federal Bureau of Prisons. She is legally responsible for protecting the constitutional rights of all of its inmates.
4. Nanette Barnes is the Warden of FCI Waseca, MN. She is legally responsible for the operations of FCI Waseca, and for protecting the constitutional rights of all inmates housed there.
5. Deanna Hiller is the Unit Manager of D-Unit and a correctional officer at FCI Waseca.
6. Defendants Sawyer, Barnes, and Hiller are sued in their official capacity.
7. At all times mentioned herein, each defendant acted under the color of federal law.

III. Claims

8. Ms. Biron is currently serving a federal sentence having been sentenced in the United States District Court for the District of New Hampshire and sentenced on May 23, 2013.

9. Ms. Biron's offenses of conviction involved her (then) teenage daughter who is considered the "victim."

10. The defendants have been restricting contact between Ms. Biron and her daughter since the beginning of her confinement without legal justification.

11. Ms. Biron's daughter, Rachael Biron, turned twenty one (21)-years-old on May 4, 2019.

12. On or about October 24, 2019, Rachael Biron mailed a letter to Warden Nanette Barnes stating her desire to communicate with her mother, Ms. Biron.

13. Warden Barnes and Hiller have told Ms. Biron in writing that Ms. Biron cannot have contact with her adult daughter for the rest of her sentence which is presently set to expire in 2047.

14. The defendants violate Ms. Biron's and Rachael Biron's constitutional right to a familial relationship.

15. The defendants violate Ms. Biron's and her daughter's constitutional right to association.

16. The defendants violate Ms. Biron's and Rachael Biron's right to due process of law.

17. The defendants actions have no rational relationship to any legitimate penological purpose.

18. Ms. Biron has no adequate or complete remedy at law to redress these unconstitutional actions. Ms. Biron and her daughter continue to be irreparably injured by the conduct of the defendants unless the Court grants declaratory and injunctive relief.

WHEREFORE, Ms. Biron requests that the Court grant:

19. A declaration that the acts and omissions described herein violate the law and Constitution.
20. A preliminary and permanent injunction ordering the defendants to stop interfering with Ms. Biron and Rachael Biron's right to communicate with each other.
21. A jury trial.
22. Plaintiff's costs and fees in this suit.
23. Any additional relief that this Court deems just and equitable.

Respectfully submitted

11/15/19
Date

Lisa Biron
Lisa A. Biron #12775-049
FCI Waseca
P.O. Box 1731
Waseca, MN 56093

Verification

I, Lisa Biron, hereby swear, under penalty of perjury, that the matters and facts alleged in the foregoing Complaint are true and correct.

11/15/19
Date

Lisa Biron
Lisa Biron